

**RESOLUTION ACCEPTING CIP PROJECT RELATED CHANGE IN GRANT FUNDING FOR  
THE AMERICAN TOBACCO TRAIL PROJECT NCDOT MUNICIPAL SUPPLEMENTAL  
AGREEMENT TIP #EL 2921 E GRANT PROJECT RESOLUTION AND AUTHORIZATION TO  
EXECUTE SUPPLEMENTAL GRANT AGREEMENT**

WHEREAS, the City of Durham anticipates receiving a supplemental Transportation Improvement Program (TIP) grant from the Federal Highway Administration, through the North Carolina Department of Transportation (NCDOT), for the construction of a 10-foot wide asphalt section with 2-foot select material shoulders for approximately 12,891 feet (2.4 miles) from NC 54 to Scott King Road to include the construction of a minimum 10-foot wide bridge from rail to rail over I-40, and a 10-foot wide asphalt section with 2-foot select material shoulders for approximately 8,732 feet (1.7 miles) from Scott King Road to the Durham/Chatham County line, programmed under EL-2921 E; and

WHEREAS, the City Council of the City of Durham deems this activity to be a worthy and desirable undertaking;

**NOW, THEREFORE, PURSUANT TO N.C.G.S. 159-13.2, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM that:**

Section 1. The Project, as described in the supplemental grant agreement between the City and NCDOT, is hereby authorized to be undertaken until all activity is complete and accepted. The project shall be completed by May 31, 2014. All invoices must be submitted to NCDOT for reimbursement no later than six months after the completion of construction and acceptance of the Project.

Section 2. The City Manager is authorized to execute the supplemental grant agreement and other documents that are required or appropriate in order for the City to receive the grant and to undertake the Project.

Section 3. This resolution accepts the supplemental grant and authorizes the execution of the supplemental grant agreement and other documents. Except as provided in the supplemental agreement, the agreement executed by the Department and the City of Durham on January 29, 2008 is ratified and affirmed as therein provided. This resolution does not appropriate the grant funds. The grant funds are appropriated in the 2011-12 CIP Ordinance, as amended.

Section 4. The following revenue is anticipated to be available to the City of Durham to complete the project:

STP-DA Federal Funds	\$4,135,377.00
Earmark 3454 Federal Funds	\$2,879,680.00
Section 117 (DP) Federal Funds	\$ 482,000.00
STP-DA Local Matching Funds	\$1,033,844.00
Earmark 3454 Local Matching Funds	\$ 719,920.00
TOTAL	\$9,250,821.00

Section 5. The following amount will be appropriated in the 2011-12 CIP ordinance, as amended, to partially fund the project:

American Tobacco Trail-Phase	\$9,250,821.00
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Section 6. Within five days after this ordinance is adopted, the City Clerk shall file a copy of this resolution with the Finance Director, Accounting Services Manager, and the Budget Director.